



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 7.5.2007  
COM(2007) 239 final

Proposal for a

**COUNCIL DECISION**

**fixing the financial contributions to be paid by the Member States contributing to the  
European Development Fund (supplementary instalment for 2007)**

(presented by the Commission)

## **EXPLANATORY MEMORANDUM**

Since the entry into force of the Financial Regulation for the 9th European Development Fund (EDF) the Council decides, on a proposal from the Commission, on each of the instalments to be paid by the Member States. In the case of the 9th EDF instruments managed by the European Investment Bank (EIB), the Member States pay their contributions directly to the EIB. The contributions for other instruments are paid to the Commission.

This proposal concerns a supplementary instalment requested by the EIB for the instruments of the 9<sup>th</sup> EDF it manages. Under Article 38(2) of the 9th EDF Financial Regulation, the payment shall, unless the Council decides otherwise, be due and made within as brief a period as possible which shall be laid down in the decision to call for such contributions and which may not exceed three months. The Commission proposes to the Council to decide the same schedule as the one for the second and third instalments. It proposes therefore that the Member States pay the contributions due under this instalment within 21 calendar days of the date on which the Council's decision is notified to them.

Note that Article 40(4) of the 9th EDF Financial Regulation stipulates that a Member State which fails to pay the instalment of contributions due by the deadline will be required to pay interest on the amount unpaid; the arrangements for the payment of interest are specified in the same Article.

The Commission wishes to highlight that, for the instruments it manages, it expects that the speed of disbursements will accelerate compared with the estimates presented in Communication COM(2006) 612 final of 18.10.2006. The Commission will propose to the Council, at the dates foreseen in the normal timeframe, higher amounts for the second and third instalment in order to guarantee EDF financing in 2007.

Proposal for a

## COUNCIL DECISION

### **fixing the financial contributions to be paid by the Member States contributing to the European Development Fund (supplementary instalment for 2007)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000<sup>1</sup> and revised in Luxembourg (Grand Duchy of Luxembourg) on 25 June 2005<sup>2</sup>,

Having regard to the Internal Agreement between Representatives of the Member States, meeting within the Council, on the financing and administration of Community aid under the Financial Protocol to the Partnership Agreement between the African, Caribbean and Pacific States and the European Community and its Member States, signed in Cotonou (Benin) on 23 June ("Internal Agreement")<sup>3</sup>, and in particular Article 10(4) thereof,

Having regard to Council Decision 2001/822/EC of 27 November 2001 on the association of the overseas countries and territories with the European Community,<sup>4</sup>

Having regard to the Financial Regulation of 27 March 2003 applicable to the 9th European Development Fund ("Financial Regulation of the 9<sup>th</sup> EDF")<sup>5</sup>,

Having regard to the proposal from the Commission,<sup>6</sup>

Whereas:

- (1) On 18 October 2006 the Commission sent the Council a statement of the payments to be made in 2007 and the schedule of calls for contributions. On 18 December the Council adopted the decision laying down the 2007 schedule of calls for contributions from the Member States to the EDF.

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<sup>1</sup> OJ L 317, 15.12.2000, p. 3.

<sup>2</sup> OJ L 287, 28.10.2005, p. 4.

<sup>3</sup> OJ L 317, 15.12.2000, p. 355.

<sup>4</sup> OJ L 314, 30.11.2001, p. 1.

<sup>5</sup> OJ L 83, 01.04.2003, p. 1.

<sup>6</sup> OJ C ..., ..., p. .

- (2) On 18 December 2006 the Council adopted the decision on the contributions to be paid by the Member States to the Commission and the European Investment Bank as the first instalment for 2007.
- (3) The European Investment Bank informed the Commission that the current contributions do not cover the financial requirements needed for the Investment Facility and that a supplementary contribution of €80 million is necessary.
- (4) Article 10(4) of the Internal Agreement stipulates that supplementary instalments may be propose.
- (5) The fourth subparagraph of Article 38(2) of the 9th EDF Financial Regulation stipulates that the supplementary contributions shall, unless the Council decides otherwise, be due and made within as brief a period as possible which shall be laid down in the decision to call for such contributions and which may not exceed three months.
- (6) Paragraphs (2), (3) and (4) of Article 133 of the 9th EDF Financial Regulation stipulate that the procedure for calling for contributions under the 9th EDF also applies to the execution of decisions under previous Funds,

HAS ADOPTED THIS DECISION:

*Article 1*

The contributions to be paid by the Member States to the Commission and the European Investment Bank as a supplementary instalment for 2007 are set out in the table in the Annex.

*Article 2*

Member States pay the contributions due under this instalment within 21 calendar days of the date at which the Council's decision is notified to them.

*Article 3*

This Decision is addressed to the Member States contributing to the 9th EDF.

Done at Brussels,

*For the Council  
The President*

**ANNEX**

Supplementary instalment of contributions for 2007 (in euro)

MEMBER STATE	to the European Investment Bank	to the Commission
GERMANY	18.688.000	0
BELGIUM	3.136.000	0
DENMARK	1.712.000	0
SPAIN	4.672.000	0
FRANCE	19.440.000	0
GREECE	1.000.000	0
IRELAND	496.000	0
ITALY	10.032.000	0
LUXEMBOURG	232.000	0
NETHERLANDS	4.176.000	0
PORTUGAL	776.000	0
UNITED KINGDOM	10.152.000	0
AUSTRIA	2.120.000	0
FINLAND	1.184.000	0
SWEDEN	2.184.000	0
<b>TOTAL</b>	<b>80.000.000</b>	<b>0</b>